

### **REMARKS**

These remarks are in response to the Office Action mailed February 25, 2004. Claims 3-4 have been canceled without prejudice to Applicant's right to prosecute the canceled subject matter in any divisional, continuation, continuation-in-part, or other application. Claim 32, which depended on claim 4, has been amended to recite dependency on claims 5-8. Claims 5-8, which also depended on claim 4, have been rewritten as independent claims incorporating the language of claim 4. No new matter is believe to have been introduced.

#### **I. REJECTION UNDER 35 U.S.C. §101**

Claims 3-4 and 32 stand rejected under 35 U.S.C. §101, as allegedly claiming the same invention as that of claim 1-2 of prior U.S. Patent No. 6,268,347. Claims 3-4 have been canceled, thus the rejection is moot with respect to these claims. Applicant respectfully submits that that the pending claims do not claim the same invention as that claimed in U.S. Patent No. 6,268,347. Accordingly, Applicant respectfully requests withdrawal of the §101 rejection.

#### **II. NON-STATUTORY DOUBLE PATENTING REJECTION**

Claims 5-8 stand rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claim 2 of U.S. Patent No. 6,268,347. Applicant submits herewith a Terminal Disclaimer. Accordingly, the rejection may be withdrawn.

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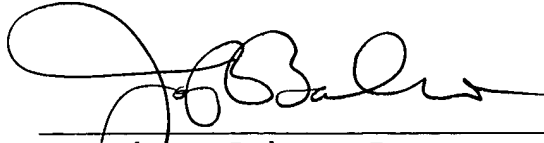
Attorney's Docket No.: 15670-014001 / SD96-043-2

Enclosed is a \$145 check for excess claim fees. Please  
apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: \_\_\_\_\_

5/24/04

  
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